

EXHIBIT C

Page 1

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK
3 Case No. 1:18-CF-05025-JMF
4 -----x
5 NEW YORK IMMIGRATION COALITION, ET AL.,

6 Plaintiffs,
7
8 - against -
9

10 UNITED STATES DEPARTMENT OF COMMERCE,
11 ET AL.,
12 Defendants.
-----x

13
14 August 24, 2018
15
16 9:07 a.m.

17
18 Videotaped Deposition of WENDY
19 TERAMOTO, taken by Plaintiffs, pursuant to
20 Notice, held at the offices of Arnold &
21 Porter Kaye Scholer LLP, 250 West 55th
22 Street, New York, New York, before Todd
23 DeSimone, a Registered Professional
24 Reporter and Notary Public of the State of
25 New York.

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27 VERITEXT LEGAL SOLUTIONS
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9 ALSO PRESENT:

10 CARLOS KING, Videographer

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1 DIRECTIONS NOT TO ANSWER

2 Page Line

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6 REQUESTS

7 Page Line

(NONE)

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1 which at the top says from Kris Kobach to
2 Wendy Teramoto, CC Brooke Alexander, Israel
3 Hernandez, date is July 24th, 2017.

6 A. I would like to read the
7 document, sir.

Q. I will withdraw the question.

9 Let me ask you a different question. If
10 you need to read the document to answer
11 that question, it is fine with me.

16 A. I have no idea.

17 Q. All right.

18 A. He was vice what?

19 Q. Vice chair of the Presidential
20 Advisory Commission on Election Integrity.

21 A. Okav.

22 Q. Is this the first you're
23 hearing that?

24 A. Yes, sir.

o. If I tell you he was secretary

1 of State of Kansas, have you heard that
2 before?

3 A. Well, I just read it right
4 here.

5 Q. So you would have known that
6 back in the day?

7 A. No.

8 Q. All right. So Kris Kobach
9 writes an e-mail to you, if you look down
10 that first page, July 21, 2017, he writes
11 "Wendy, nice meeting you on the phone this
12 afternoon. Below is the e-mail I sent to
13 Secretary Ross" --

14 A. Sir, can I read the whole
15 e-mail, please?

16 Q. Sure.

17 A. Thank you.

18 (Witness perusing document.)

19 A. Okay.

20 Q. All right. So there is an
21 e-mail from Kris Kobach to you, July 21, in
22 which he says -- he references meeting you
23 on the phone this afternoon.

24 Do you recall speaking with
25 Kris Kobach?

1 A. Not at all.

2 Q. You don't deny speaking with
3 him?

4 A. I think you asked me if I
5 remember. I don't remember talking to him.

6 Q. This is a different question.
7 You don't deny speaking with
8 him?

9 A. Given this e-mail, I would
10 assume that I spoke to him, but I don't
11 remember ever speaking to him.

12 Q. All right. And he asks --
13 withdrawn.

14 He says that he had sent an
15 e-mail to Secretary Ross and he attaches it
16 here. You see that, correct?

17 A. Well, I see his e-mail to me
18 says "Below is the e-mail that I sent to
19 Secretary Ross."

20 Q. Okay.

21 A. So I assume however this is
22 produced, it would have been this e-mail.

23 Q. All right. And one of the
24 things that the e-mail that Kris Kobach
25 forwards to you, one of the things in it is

1 the statement "It is essential that one
2 simple question be added to the upcoming
3 2020 census," that's the first sentence of
4 the second paragraph of this forwarded
5 e-mail; do you see that?

6 A. The second -- the first
7 sentence of the second paragraph that Kris
8 Kobach sent to, I believe it is Secretary
9 Ross, but I can't say his -- there is no
10 e-mail address -- says "It is essential
11 that one simple question be added to the
12 upcoming 2020 census."

13 Q. All right. When you spoke with
14 Kris Kobach, didn't he talk to you about
15 adding a citizenship question to the
16 census?

17 A. Again, I have no recollection
18 ever speaking to him.

19 Q. Who did you understand Kris
20 Kobach to be at the time?

21 A. I had no idea.

22 Q. Do you typically set up
23 meetings with the Secretary or calls with
24 the Secretary to people -- with people you
25 have no idea who they are?

1 A. You asked me, sir, if at the
2 time if I knew who Kris Kobach was, and I
3 said I didn't.

4 Q. Correct. I have asked you a
5 different question now.

6 A. Okay. Could you please repeat
7 it?

8 Q. My question is, would you
9 typically set up a call for the Secretary
10 with somebody who you didn't know anything
11 about who they were?

12 A. Well, no.

13 Q. Why did you do so on this
14 occasion?

15 A. Here it looks as though he
16 forwarded to me and told me who he was.

17 Q. Okay. And why did you set up a
18 call with him with the Secretary?

19 A. At this point in time, I don't
20 remember.

21 Q. It had to do with the
22 citizenship question, didn't it?

23 A. He had sent an e-mail
24 requesting a call, and I don't remember,
25 well, it looks like I set it up, so, you

1 know --

2 Q. Ms. Teramoto, my question is
3 simply, the call that you set up, that was
4 for the purpose of discussing the
5 citizenship question, correct?

6 A. It was -- I would have set up
7 the call because somebody had asked for a
8 call with the Secretary.

9 Q. Didn't you set it up for the
10 Secretary in part because it was about the
11 citizenship question?

12 A. I would have set up the call
13 because somebody had asked for the call
14 with the Secretary. It wouldn't be
15 specifically because of a certain question.

16 Q. You wouldn't set up a call for
17 anyone who asks for a call with the
18 Secretary, would you?

19 A. If there is somebody who wants
20 to speak to the Secretary and it seems like
21 it is something that he would want to talk
22 about, then I would set it up.

23 Q. So I take it he would, in your
24 mind, he would have wanted to talk about
25 the citizenship question?

1 A. I would have set up the call if
2 somebody like this would have asked for a
3 call with the Secretary, so if another
4 Secretary of State had asked for some call
5 with the Secretary, I would have tried to
6 facilitate that.

7 Q. Wouldn't you have told the
8 Secretary what the topic of the call was?

9 MS. WELLS: I object to the
10 form.

11 A. It depends.

12 Q. Wouldn't you have told him what
13 the topic of this call was?

14 MS. WELLS: I object to the
15 form.

16 A. Somebody would have told him
17 what the topic was.

18 Q. In this time period, July 2017,
19 and earlier, hadn't you heard talk like
20 this before that it is essential that the
21 citizenship question be added to the
22 census?

23 A. I don't remember anything
24 specific.

25 Again, sir, I was not involved

1 CERTIFICATION
2

3 I, TODD DeSIMONE, a Notary Public for
4 and within the State of New York, do hereby
5 certify:

6 That the witness whose testimony as
7 herein set forth, was duly sworn by me; and
8 that the within transcript is a true record
9 of the testimony given by said witness.

10 I further certify that I am not related
11 to any of the parties to this action by
12 blood or marriage, and that I am in no way
13 interested in the outcome of this matter.

14 IN WITNESS WHEREOF, I have hereunto set
15 my hand this 24th day of August, 2018.

16 
17

18 -----
19 TODD DESIMONE
20

21 * * *
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